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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/064,723	08/09/2002	Gary A. Kasper	71189-1423	4232

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EXAMINER

SNIDER, THERESA T

ART UNIT	PAPER NUMBER
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1744

DATE MAILED: 08/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/064,723

Applicant(s)

KASPER ET AL.

Examiner

Theresa T. Snider

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,10,11,16,19,26-30,32-36,38,41-43,45 and 47-58 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,10,11,19,26-30,32-36,41,43,45,47-50,52 and 54-58 is/are allowed.
- 6) ☒ Claim(s) 16, 38, 42, 51 and 53 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. <u>8/3/2005</u> |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 16, 38 and 53 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Exemplary of such:

Claim 38, line 2, the claim is dependent from a cancelled claim.

Claim 53, line 10, 'assembly' should be inserted after 'transmission'.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Louis et al. in view of Camarata et al..

Louis et al. discloses a similar cleaning apparatus however fails to disclose a traction driver or drive motor.

Louis et al. discloses a housing including a base and an upright handle (fig. 1, #2, 4).

Louis et al. discloses at least two wheels mounted to the base (fig. 1, unnumbered element to left of #150).

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Louis et al. discloses a liquid dispensing system (col. 6, lines 42-60).

Louis et al. discloses a fluid recovery system (col. 4, line 64-col. 5, line 9).

Louis et al. discloses a vacuum source (col. 4, lines 38-41).

Camarata et al. discloses a surface cleaning apparatus having a drive motor connected to a traction driver by way of a direct connection with the transmission (fig. 3, traction driver-#13,15, motor-2, transmission-#7,89,11). It would have been obvious to one of ordinary skill in the art to provide the traction driver and power drive assembly of Camarata et al. in Louis et al. to aid in reducing operator fatigue and allow for uniform coverage of a surface by providing for a self-propelled cleaning apparatus.

5. Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over Louis et al. in view of Camarata et al. and Webb.

Louis et al. discloses a similar cleaning apparatus however fails to disclose a traction driver, drive motor or reversible motor.

Louis et al. discloses a housing including a base and an upright handle (fig. 1, #2, 4).

Louis et al. discloses at least two wheels mounted to the base (fig. 1, unnumbered element to left of #150).

Louis et al. discloses a liquid dispensing system (col. 6, lines 42-60).

Louis et al. discloses a fluid recovery system (col. 4, line 64-col. 5, line 9).

Louis et al. discloses a vacuum source (col. 4, lines 38-41).

Camarata et al. discloses a surface cleaning apparatus having a drive motor connected to a traction driver by way of a direct connection with the transmission (fig. 3, traction driver-

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#13,15, motor-2, transmission-#7,89,11). It would have been obvious to one of ordinary skill in the art to provide the traction driver and power drive assembly of Camarata et al. in Louis et al. to aid in reducing operator fatigue and allow for uniform coverage of a surface by providing for a self-propelled cleaning apparatus.

Webb discloses a surface cleaning apparatus with a reversible drive motor for driving a traction driver (col. 4, lines 2-3). It would have been obvious to one of ordinary skill in the art to provide to replace the motor of Louis et al. in view of Camarata et al. with the reversible motor of Webb to avoid the use of the solenoids.

Allowable Subject Matter

6. Claims 1, 10-15, 19, 26-30, 32-36, 41, 43, 45, 47-50, 52 and 54-58 are allowed.
7. Claim 53 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.
8. Claims 16 and 38 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

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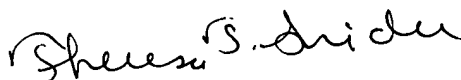
Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Cipolla et al. discloses a self-propelled vacuum cleaner having a direct connection between the motor and the transmission.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Theresa T. Snider whose telephone number is (571) 272-1277. The examiner can normally be reached on Monday-Thursday (5:30am-2:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Kim can be reached on (571) 272-1142. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Theresa T. Snider
Primary Examiner
Art Unit 1744

8/11/2005